

Minutes of the Meeting of the Board of Selectmen

DATE: Monday, April 10, 2006
TIME: 7:00 p.m.
PLACE: McCourt Social Hall, Memorial Town Hall, Spencer, MA
PRESENT: Selectmen Herl, Cloutier, Gagnon, and Gaucher; Administrative Assistant Simpson.
Selectmen Adams and Town Administrator Terenzini were absent with prior notification.

At 7:00 p.m. Vice Chairman Herl called the meeting to order. Motion by Mr. Gagnon to approve the minutes of regular and executive sessions of meeting of March 27, 2006, and workshop of April 3, 2006; seconded by Mr. Cloutier. Motion passed, 4-0.

CITIZENS' INPUT: Bill Shemeth of 6 Dale Street requested that the Dale Street article be kept on the town meeting warrant, noting there will be a Planning Board recommendation before town meeting.

COMMUNICATIONS: Mr. Herl noted a letter from Spencer Furniture stating they were opposed to the renaming/renumbering of Dewey Street; Mr. Herl said the letter would be put on file. He noted a letter from Edwin P. Dow regarding the Peace Symposium. Motion by Mr. Cloutier to put the letter on file; seconded by Mr. Gagnon. Motion passed, 4-0. Mr. Herl further noted a letter from the East Brookfield Board of Selectmen regarding a possible joint/regional wetlands position. Motion by Mr. Gagnon to refer to staff report and if necessary refer back to workshop; seconded by Mr. Cloutier. Motion passed, 4-0.

OLD BUSINESS: None.

NEW BUSINESS:

a. Introduction of New Staff and Appointees: Fire Chief Parsons introduced Donald Churchey (Building & Grounds Maintenance Person for Fire Department) and Stephanie Wachewski (Administrative Clerk for Fire Department).

b. Quarterly Reports: ODIS Director Karen Cullen gave her quarterly report. There were no questions. Police Chief Darrin gave his quarterly report, noting positive outcome of directed enforcement of parking rules and that lockup numbers had dropped because Leicester had been a good portion of the work. Fire Chief Parsons gave his quarterly report, noting FEMA had approved \$47,000+ reimbursement for the October flooding, and Nicole's Law was going smoothly so far. It was clarified that people may call for inspection of newly installed detectors, but it was not required unless there is a sale/transfer of property or a complaint. There was discussion about burning permits as well as the new recruits. U&F Superintendent Ramsey's report was passed over as he was not present. He gave his report after item e, noting potential finishing dates for the Roy Drive and Clark/Adams streets projects, and schedule for painting of crosswalks. There was discussion of paying online for transfer station stickers, the Shaw Pond watershed behind the new Wal-mart in Leicester, and new transfer station employee and interim custodian.

c. Action Re: Lend/Lease of SFD Pumper Truck to Town of Rutland: Chief Parsons clarified that the truck was a tanker, not a pumper, and that it was waiting to go out for surplus. He said the tanker was useable but antiquated and it was not necessary to require being able to get it back from Rutland if needed while there. Motion by Mr. Cloutier to allow Town Administrator to enter into lend/lease agreement for Spencer Fire Department tanker truck to town of Rutland with all costs, insurance and otherwise, to be borne by the town of Rutland; seconded by Mr. Gagnon. Motion passed, 4-0. Chief Parsons noted the Abbey has a 1972 Mac that the town can use as a reserve piece at any time.

d. Action Re: Burncoat Pond/Green Property: Ms. Cullen and Charlie Wyman of Mass Audubon explained the conservation restriction was for roughly sixty acres and was requested for the Self-Help grant, with a closing on May 17th. Motion by Mr. Gagnon to accept and approve the Conservation Restriction to the Town of Spencer for the Green Property, Greenville Street and Burncoat Pond, as being in the public interest pursuant to MGL Ch. 184, sections 31-33, and authorize the Town Administrator to sign said conservation restriction on behalf of the Town of Spencer; seconded by Mr. Cloutier. Motion passed, 4-0.

e. Action Re: Father's Day Block Party @ Mechanic/Cherry/Wall: Artie Sandoli, chairman of the Tourism Committee, reviewed last year's block party, noting they had worked on concerns regarding parking and shuttling, vendor rules and regulations, restrooms, and neighborhood cooperation. He said this year they would set up headquarters at Artie's Restaurant for people seeking information. He said last year's banner was last seen at the cemetery and if anyone knew where it was, to please let him know. Motion by Mr. Cloutier to approve Father's Day Block Party for June 18, 2006, approve a one-day beer and wine license, approve a one-day common victualler license with fee waived, give permission to use the town parking lot, and give permission to close the roads as outlined in Artie's letter; seconded by Mr. Gagnon. Motion passed, 4-0.

f. Action Re: Special Counsel Re: Cable Franchise Negotiations: Mr. Cloutier reported he had spoken with both potential special counsels, William Hewig of Kopelman & Paige and William August of Epstein & August. Mr. August would charge \$175/hr and travel time, and expected the project to cost \$15-\$20K; Mr. Hewig would charge \$185/hr without travel time unless working on behalf of town while traveling, and expected the project to cost about \$10K. He said both were very well versed and noted the here and now must be dealt with even if the federal government changes licensing process. Motion by Mr. Cloutier to hire the firm of Kopelman & Paige and Attorney Bill Hewig to represent town for cable license renewal; seconded by Mr. Gagnon. Mr. Gagnon added that Kopelman and Paige had an office in Worcester. Motion passed, 4-0.

g. Action Re: Authorization of \$3,750 of Disability Fund for Rail Trail Connector: Mr. Shemeth and Ms. Cullen were present. Mr. Shemeth noted there were two access points to the Rail Trail, one at South Spencer and one at O'Gara, and that the Disability Commission was requesting authorization to use \$3,750 of disability funds to make the rail trail connector at O'Gara ADA accessible. He said the project might be more complicated than originally anticipated, but requested the Board approve the amount as is so that if it had to go before the Capital Committee, dedicated revenues would already have been established. There was discussion about where the path would be located and about the possibility of the entire trail needing to be made accessible. The Board supported the idea but wanted more information on what costs would be and where money for Mr. Williamson to do grading and drainage would come from. Motion by Mr. Cloutier to table for future report from staff and look at down the road; seconded by Mr. Gagnon. Motion passed, 4-0.

h. Action Re: Proposed 2006 STM & ATM Warrants: Mr. Herl noted the town hall union article had been removed from the town meeting warrant, and wording changes had been made to the sign by-law. Ms. Gaucher read the sign by-law section on pre-existing non-conforming signs, to bring it to the public's attention. There was discussion on the sign by-law and shifting it from the Zoning By-Laws to the General By-Laws, and Ms. Cullen said there would be another public hearing on May 2 at the Planning Board meeting. There was clarification on the Assessors Transition Fund, and discussion about the phase-out plan for the current assessors. Motion by Mr. Cloutier to accept the special town meeting and annual town meeting warrants as proposed and amended; seconded by Mr. Gagnon. Ms. Gaucher noted that she disagreed with the voting hours, and Mr. Gagnon said he had spoken with the Town Clerk who reported no negative effect on voting because of the hours. Motion passed, 4-0.

BOARD LIAISON REPORTS: Mr. Gagnon noted he had attended the Mass Audubon event at the Spencer Country Inn regarding Burncoat Pond preservation.

CITIZENS' INPUT: None.

BOARD MEMBER AND STAFF COMMENTS: Mr. Cloutier noted the success of the Spencer Rescue Squad fundraiser and thanked all who had attended and helped. Mr. Gagnon asked that the Personnel Board look at implementing a by-law to require employees who leave within two years of receiving licensing or schooling paid for by the town to pay the town back. Motion by Mr. Gagnon to forward to Personnel Board for a report; seconded by Mr. Cloutier. Motion passed, 4-0. Ms. Gaucher thanked Rusty Snow for his help with Spencer Pride Day. Mr. Herl noted upcoming events and meetings.

At 8:38 p.m., motion by Mr. Cloutier to adjourn; seconded by Mr. Gagnon. Motion passed, 4-0.

Respectfully submitted,

Kate Simpson, Administrative Assistant

_____ ABSENT _____ Chairman (Adams)

_____ Vice Chairman

_____ Clerk

_____ Member

_____ Member

Board of Selectmen